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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 2.9.05 Name: Jennifer M. Duk, Reg. No. 52,838 Signature: Jennifer M. Duk

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Stephen D. Newman**

Appln. No.: **10/789,961**

Filed: **February 27, 2004**

For: **PACKAGING FOR DISPOSABLE SOFT CONTACT LENSES**

Attorney Docket No: **11762/47**

Examiner: Not yet assigned

Art Unit: 3728

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ a Third Supplemental Information Disclosure Statement (in duplicate); Form PTO-1449; 2 Cited References (D8-D9).
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

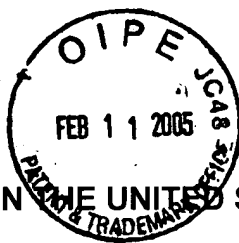
					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

2.9.05
Date

Respectfully submitted,
Jennifer M. Duk
Jennifer M. Duk (Reg. No. 52,838)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Stephen D. Newman

Appln. No.: 10/789,961

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DISPOSABLE SOFT CONTACT
LENSES

Attorney Docket No: 11762/47

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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

U.S. Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
4,113,088	09/1978	Binkhorst
4,173,281	11/1979	Trought
4,257,521	03/1981	Poler
4,392,569	07/1983	Shoup
4,423,809	01/1984	Mazzocco
4,691,820	09/1987	Martinez
5,176,686	01/1993	Poley

Foreign Patent Documents

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
FR 2 638 248	04/1990	France
GB 2 222 816 A	03/1990	United Kingdom

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Pursuant to the undersigned attorney's obligation and duties under 37 C.F.R. §§ 1.56 and 1.98(a)(3) and (c), an English language translation for French Patent No. 2 638 248, which is not in English, is included for the express purpose of providing a concise explanation of the

references to the Patent and Trademark Office with the opportunity to evaluate the same.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

This Third Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Third Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

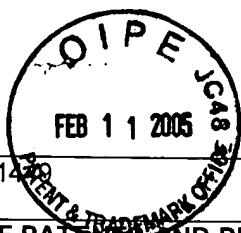
Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

Respectfully submitted,

2.9.05

Date

Jennifer M. Duk
Jennifer M. Duk (Reg. No. 52,838)



FORM PTO-1449	SERIAL NO. 10/789,961	CASE NO. 11762/47
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE February 27, 2004	GROUP ART UNIT 3728
(use several sheets if necessary)		APPLICANT(S): Stephen D. Newman

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	D1	4,113,088	09/1978	Binkhorst		
	D2	4,173,281	11/1979	Trought		
	D3	4,257,521	03/1981	Poler		
	D4	4,392,569	07/1983	Shoup		
	D5	4,423,809	01/1984	Mazzocco		
	D6	4,691,820	09/1987	Martinez		
	D7	5,176,686	01/1993	Poley		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	D8	FR 2 638 248	04/1990	France		Abstract
	D9	GB 2 222 816 A	03/1990	United Kingdom		

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.